

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. **8:10ML2151 JVS (FMOx)** Date April 22, 2011

Title **IN RE: TOYOTA MOTOR CORP. UNINTENDED
ACCELERATION MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY LITIGATION**

Present: The James V. Selna
Honorable

Karla J. Tunis

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS) Further Order re Defendants' Application to File and
Maintain Certain Documents Under Seal.

In its Minute Order of April 5, 2011 (Docket No. 1211), the Court expressed concern with regard to be the Toyota defendants's application for wholesale filing of materials related to the pending choice of law motion under seal. The Court invited comment from the plaintiffs (see Docket No. 1285); the Toyota defendants filed a response (Docket No. 1288); and the plaintiffs filed a further statement (Docket No. 1290).

Since the Court issued its Minute Order, the Toyota defendants have filed redacted public versions of a number of documents tendered for filing under seal. (See Toyota Response, p. 2, Docket No. 1288, citing Docket Nos. 1239-1248.) Without an exhaustive undertaking, the Court is unable to compare these filings to the materials tendered for filing under seal, and hence cannot easily determine if its concerns have been met or are in fact mooted by the filing of complete documents.

Consistent with the First Amended Protective Order (Docket No. 627), the Court orders the parties to meet and confer with regard to any outstanding disputes over the scope of sealing within seven days and thereafter to promptly contact the Special Master to arrange for resolution of any remaining disputes. A failure to make a showing that confidentiality is due on the briefing timetable established by the Special Master shall result in automatic de-designation of all documents for which a showing has not been made.

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The Court's goal is to have substantially all disputes resolved by the date of the hearing on the choice of law motion, May 16, 2011, so that the record that should be available to the public after taking into account well-founded confidentiality concerns is in fact available. The 90-day default period for automatic de-designation in the Protective Order is not an appropriate timetable. (*Id.*, ¶ 21(b).)

Upon resolution, the Court anticipates withdrawal of the present set of material tendered for filing under seal with resubmission of a set of documents that is substantially less than seven banker's boxes in volume.

Initials of Preparer

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